



Order Filed on March 1, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

LAW OFFICES OF DAVID WOLFF LLC
Attorneys for Trustee
750 Route 34, Suite 11
Matawan, New Jersey 07747
(732) 566-1189

In Re:

YVETTE HOLMES,

Debtor.

Case No.: 22-10367-VFP

Chapter 7 Proceeding

Judge: Hon. Vincent F. Papalia

**CONSENT ORDER RESOLVING INTEREST OF NON-DEBTOR FORMER SPOUSE
IN REAL PROPERTY**

The relief set forth on the following pages numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 1, 2023

A handwritten signature in black ink, appearing to read "Vincent F. Papalia", written over a horizontal line.

Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Yvette Holmes

Case No. : 22-10367-VFP

**Caption of Order: CONSENT ORDER RESOLVING INTEREST OF NON-DEBTOR
FORMER SPOUSE IN REAL PROPERTY**

Upon the Motion (the "Motion") of David Wolff, Chapter 7 Trustee ("Trustee") for entry of an Order, pursuant to Sections 105(a) and 363(b) (1) and (f), Title 11, United States Code, 11 U.S.C. §§101-1330 et. seq., as amended and Rule 6004(a) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") authorizing the sale of the Debtor's ownership interest, and non-debtor former spouse co-owner Luis Rodriguez' ownership interest in real property located at 290 Bergen Street, Newark, New Jersey ("Property") for the sum of \$421,000 to Manuel Garcia and Eliot Fuchs, as more fully described in a contract, addendum and rider, copies of which were annexed as Exhibit "B" to the Application filed in support of the Motion; and the Motion having been granted via entry of an Amended Order dated November 30, 2022 (Docket No. 80); and the sale ultimately having been consummated; and the Court having entered an Order dated February 12, 2023 retaining Bederson LLP as accountants to the Trustee (Docket No. 89); and the accountants having determined that Luis Rodriguez would currently be subject to significant taxable income, as the non-debtor former spouse was not a resident of the Property at the time of sale; and Luis Rodriguez having communicated to Trustee's counsel and Charles Persing, CPA of Bederson LLP that he seeks to transfer his interest in the Property and sale proceeds of the Property to the bankruptcy estate for the sum of \$15,000, with all tax obligations related to the sale proceeds thereafter being the responsibility of the bankruptcy estate; and for good cause shown;

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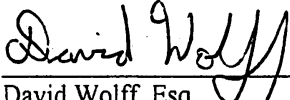
Debtor: Yvette Holmes

Case No. : 22-10367-VFP


Caption of Order: **CONSENT ORDER RESOLVING INTEREST OF NON-DEBTOR
FORMER SPOUSE IN REAL PROPERTY**

IT IS ORDERED, ADJUDGED, AND DECREED, that, in consideration for receipt of the sum of \$15,000, Luis Rodriguez shall relinquish his interest in the Property and sale proceeds related to the Property, and the bankruptcy estate shall be responsible for any and all tax obligations.

IN WITNESS WHEREOF, Luis Rodriguez and the Trustee have agreed to the foregoing as of the dates written below.



David Wolff, Esq.
Counsel to Chapter 7 Trustee
Dated: February 28, 2023



Luis Rodriguez
Non-debtor former spouse
Dated: February 28th, 2023

In re:
Yvette Holmes
Debtor

Case No. 22-10367-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Mar 02, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 04, 2023:

Recip ID	Recipient Name and Address
db	Yvette Holmes, 290- 290a Bergen Street, Newark, NJ 07103

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 04, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 2, 2023 at the address(es) listed below:

Name	Email Address
David Wolff	dwtrustee@verizon.net NJ50@ecfbis.com
David Wolff	on behalf of Trustee David Wolff dwtrustee@verizon.net NJ50@ecfbis.com
Denise E. Carlon	on behalf of Creditor Wilmington Savings Fund Society FSB not individually, but solely as trustee for Residential Mortgage Aggregation Trust dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com
Michelle Labayen	on behalf of Debtor Yvette Holmes michelle@labayenlaw.com rahaf@labayenlaw.com;arly@labayenlaw.com
Phillip Andrew Raymond	on behalf of Creditor Wilmington Savings Fund Society FSB not individually, but solely as trustee for Residential Mortgage Aggregation Trust phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

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User: admin

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Date Rcvd: Mar 02, 2023

Form ID: pdf903

Total Noticed: 1

TOTAL: 7